

EMBASSY OF THE UNITED STATES OF AMERICA

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PRESS RELEASE

**NEW "SUNSHINE" MEASURE SUPPORTS
OPENNESS IN U.S. GOVERNMENT**

CITIZEN ACCESS TO INFORMATION IMPORTANT TO DEMOCRACY

**By Eric Green
Staff Writer**

WASHINGTON, JANUARY 21 -- With little fanfare, a new U.S. law has been enacted aimed at increasing transparency and openness in the American federal government.

The measure, signed by President Bush on December 31, 2007, strengthens the ability of the press and the general public to gain information from the government through the Freedom of Information Act (FOIA). The signing attracted scant notice in the news media, and the White House issued a one-paragraph statement on Bush's action.

But a number of groups devoted to openness in government said they were pleased by the new law. Clint Brewer, president of the Society of Professional Journalists, told *America.gov* that "as a journalist and taxpayer, I'm thrilled the president signed" the bill. "I hope this is a sign that the pendulum is swinging back toward more open and transparent government" in the United States, he said.

Brewer said that for years, FOIA requests "have gone ignored or been stonewalled by federal agencies." He said the new law, called the Open Government Act of 2007, gives working journalists and citizens alike "the ability to fight back" to get information without having to resort to costly lawsuits.

Brewer, also the executive editor of the *City Paper* in Nashville, Tennessee, said the FOIA is "often looked at as an issue for journalists -- and it is a huge issue for journalists. But it's also an issue for corporate America, which makes a lot of FOIA requests, and for regular citizens in professions other than journalism who want to know a lot about their government too."

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Brewer said citizens making FOIA requests to gain public information represents "a healthy democracy," which involves "people asking questions of their government. That is what freedom of speech is all about."

The United States passed the FOIA in 1966, becoming at the time one of the few countries in the world to provide a legal way in which any person or organization could ask for records held by federal government agencies. Similar laws also have been enacted at the state level.

The Open Government Act reforms the 1966 law by creating an "ombudsman" to mediate FOIA cases. It also imposes new requirements on federal agencies to increase the timeliness of their FOIA responses and new procedures for tracking FOIA requests so they do not become mired or lost in the federal bureaucracy. The measure also expands the definition of the "news media" to include bloggers and nontraditional journalists. (See related article:

<http://usinfo.state.gov/xarchives/display.html?p=washfile-english&y=2007&m=August&x=200708291251141xeneerg0.6091425>)

Senator Patrick Leahy (Democrat of Vermont), a sponsor of the bill, said it provides the first reforms to the FOIA in more than a decade. In a January 2 statement, Leahy said the law offers a "ray of sunshine and a turning point toward greater accountability" in government. Leahy says the measure exempts national security and homeland security-related information from public disclosure.

Another sponsor, Senator John Cornyn (Republican of Texas), said the law "holds politicians and bureaucrats accountable in an age of ever-expanding size and scope of government," and "strengthens our democracy by building on the ideals this nation was founded upon -- the people's fundamental right to know."

Laurie Babinski, an associate for the Baker Hostetler law firm in Washington, which lobbied the U.S. Congress to pass the measure, told *America.gov* that the new ombudsman's office, to be located in the U.S. National Archives and Records Administration, will serve as a mediator between citizens and federal agencies regarding the release of information.

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Babinski sees the ombudsman's office playing an important role in cases where a federal agency either is moving too slowly in releasing records or has denied a FOIA request. The average citizen lacking the financial means to file a lawsuit for gaining access to records might now turn to the ombudsman's office for help, she indicated.

Rick Blum, coordinator of the Sunshine in Government Initiative, told *America.gov* he was "ecstatic" that President Bush signed the measure. Its passage, he said, is a "big win" for the public's need for transparency in government.

The Sunshine Initiative is a coalition of 10 media groups founded in 2005. It works to ensure that the federal government is accountable to its citizens.

The newspaper *USA Today* said in a July 2007 editorial that of the more than 500,000 freedom-of-information requests filed every year in the United States, more than 90 percent are from private citizens, businesses or state and local agencies seeking information important to them, and which, in most cases, "they are entitled to."

The newspaper added that "federal agencies are supposed to respond to requests for information within 20 business days. In some cases, 20 years has been more like it."

More information about the Sunshine in Government Initiative is on the group's Web site:

<http://www.sunshineingovernment.org/>

The full text of the president's signing statement on FOIA is on the White House Web site:

<http://www.whitehouse.gov/news/releases/2007/12/20071231-4.html>

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Note: A Bangla translation of this article is also available at the American Center. If you are interested in the translation, please call the American Center Press Section, Tel: 8837150-4, Fax: 9885688; e-mail: DhakaPA@state.gov; Website: [http:// dhaka.usembassy.gov](http://dhaka.usembassy.gov)